

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. 11502/33
Applicant(s): Duane D. Blatter			
Application No. 10/706,245	Filing Date November 12, 2003	Examiner Julian W. Woo	Group Art Unit 3731
Invention: STAPLE AND ANVIL ANASTOMOSIS SYSTEM			
RECEIVED CENTRAL FAX CENTER JUL 13 2006			
<p>I hereby certify that this <u>Supplemental Information Disclosure Statement (including the items listed below)</u> (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>)</p> <p>on <u>JUL 13, 2006</u> (Date)</p> <p style="text-align: center;"><u>Matthew S. Bethards</u> (Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: center;"><u><i>Matthew Bethards</i></u> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p> <p>Transmitted: Certificate of Transmission by Facsimile (37 CFR 1.8) (1 pg.) Supplemental Information Disclosure Statement (3 pgs.) PTO-Form 1449 listing 26 references (2 pgs.) Transmittal of Information Disclosure Statement (2 pgs.)</p> <p style="text-align: center;"><u>Total Pages Transmitted: 8 pgs.</u></p>			

P18/REV02

JUL 13 2006

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. 11502/33	
In Re Application Of: Duane D. Blatter						
Application No. 10/706,245	Filing Date November 12, 2003	Examiner Julian W. Woo	Customer No. 32642	Group Art Unit 3731	Confirmation No. 6387	
Title: STAPLE AND ANVIL ANASTOMOSIS SYSTEM						
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450						
37 CFR 1.97(b)						
1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.						
37 CFR 1.97(c)						
2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:						
<input type="checkbox"/> the statement specified in 37 CFR 1.97(e);						
OR						
<input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).						

P16A/REV05

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. 11502/33	
In Re Application of: Duane D. Blatter						
Application No. 10/706,245	Filing Date November 12, 2003	Examiner Julian W. Woo	Customer No. 32642	Group Art Unit 3731	Confirmation No. 6387	
Title: STAPLE AND ANVIL ANASTOMOSIS SYSTEM						
<div style="text-align: center;">Payment of Fee (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))</div> <div style="margin-top: 10px;"><input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>50-2375</u> as described below.<div style="margin-left: 20px;"><input type="checkbox"/> Charge the amount of _____ <input type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required.</div><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</div> <div style="margin-top: 10px;">WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div style="width: 45%; border: 1px solid black; padding: 5px;"><div style="text-align: center; font-weight: bold; font-size: small;">Certificate of Transmission by Facsimile*</div><div style="font-size: x-small; padding: 5px;">I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa</div><div style="border-top: 1px solid black; margin-top: 10px; padding-top: 5px;">(Date)</div><div style="border-top: 1px solid black; margin-top: 10px; padding-top: 5px; text-align: center;">Signature</div><div style="border-top: 1px solid black; margin-top: 10px; padding-top: 5px; text-align: center;">Typed or Printed Name of Person Signing Certificate</div></div><div style="width: 45%; border: 1px solid black; padding: 5px;"><div style="text-align: center; font-weight: bold; font-size: small;">Certificate of Mailing by First Class Mail</div><div style="font-size: x-small; padding: 5px;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</div><div style="border-top: 1px solid black; margin-top: 10px; padding-top: 5px;">(Date)</div><div style="border-top: 1px solid black; margin-top: 10px; padding-top: 5px; text-align: center;">Signature of Person Mailing Correspondence</div><div style="border-top: 1px solid black; margin-top: 10px; padding-top: 5px; text-align: center;">Typed or Printed Name of Person Mailing Certificate</div></div></div> <div style="margin-top: 20px;"><div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><p style="font-size: x-small;">*This certificate may only be used if paying by deposit account.</p><div style="text-align: center; margin-top: 10px;"> Signature</div></div><div style="width: 45%;"><p style="font-size: x-small;">Dated: July 13, 2006</p></div></div><div style="margin-top: 20px; font-size: x-small;">Matthew S. Bethards Registration No. 51,466 Stoel Rives LLP One Utah Center 201 South Main Street, Suite 1100 Salt Lake City, UT 84111 Telephone: 801-578-6932 Facsimile: 801-578-6999</div><div style="margin-top: 20px;">cc:</div></div>						

P10A/REV05

JUL 13 2006

PATENT APPLICATION
Docket No.: 11502/33

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Blatter

Serial No.: 10/706,245

Filed: November 12, 2003

Title: STAPLE AND ANVIL ANASTOMOSIS SYSTEM

Examiner: Julian W. Woo

Confirmation No.: 6387

Customer No.: 32642

Art Unit
3731SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

TO THE COMMISSIONER FOR PATENTS:

1. Pursuant to the duty of disclosure, documents listed on the accompanying Form PTO-1449 (or equivalent) are presented for the Examiner's consideration.

- ☐ Copies of listed documents are enclosed. (37 CFR § 1.98(a))
- ☒ Copies of listed U.S. patent documents are omitted because this application was filed after June 30, 2003 and is, thus, subject to image file wrapper processing.
- ☐ Copies of listed foreign patent documents and/or non-patent literature are enclosed. (37 C.F.R. § 1.98(a)(2))
- ☐ Copies of the documents listed on sheet(s) _____ of Form PTO-1449 (or equivalent) are omitted because (1) they are already of record in U.S. Patent Application No. _____, filed _____, on which this application relies for an earlier filing date under 35 U.S.C. § 120; and (2) any information disclosure statement filed in the prosecution of Application No. _____, complies with 37 CFR §§ 1.98(a) through (c). (37 C.F.R. § 1.98(d))

2. ☐ The Examiner's attention is directed to the enclosed copy of copending U.S. Patent Application No. _____, filed _____, for _____, which is cited in this application.
3. This information disclosure statement is being submitted (check box a., b., or c.):
- a. ☒ Within three months of the filing date of a national application or entry of the national stage in an international application; or before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. (No statement under 37 CFR 1.97(e) is required.); or
- b. ☐ After the period set forth in paragraph 3a, but before the mailing date of either a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. (Check box i. or ii.)
- i. ☐ A \$180.00 information disclosure statement submission fee set forth in 37 CFR 1.17(p) is enclosed, or
- ii. ☐ A statement specified by 37 CFR 1.97(e) is set forth below; or
- c. ☐ After the mailing date of a final action or notice of allowance and on or before payment of the issue fee. A statement specified by 37 CFR 1.97(e) is set forth below. Enclosed is a \$180.00 information disclosure statement processing fee set forth in 37 CFR 1.17(p).
4. If a statement specified by 37 CFR 1.97(e) is required, the attorney or agent signing below hereby states that:
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.

5. ☐ A concise explanation of the relevance of each document not in the English language and/or selected documents in the English language is included.

DATED this 13 day of July, 2006.

Respectfully submitted,



Matthew S. Bethards
Registration No. 51,466
Customer No. 32642

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INFORMATION DISCLOSURE CITATION

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET
NO. 11502/33:1 USAPPLICATION NO.
10/706,245

TITLE: STAPLE AND ANVIL ANASTOMOSIS SYSTEM

APPLICANT – Duane D. Blatter

EXAMINER – Julian W. Woo

CONFIRMATION NO.: 6387
CUSTOMER NO.: 32642FILING DATE-
November 12, 2003GROUP ART UNIT -
3731

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1	1,052,374	02/04/1913	Parr			
	2	1,151,300	08/24/1915	Soresi			
	3	2,434,030	11/13/1945	Yeomans			
	4	3,048,177	06/23/1959	Takaro			
	5	3,155,095	12/23/1959	Fly			
	6	3,258,012	06/20/1962	Nakayama et al.			
	7	3,435,823	04/11/1966	Edwards			
	8	3,774,615	11/27/1973	Lim, et al.			
	9	4,047,654	09/13/1977	Alvarado			
	10	4,233,981	11/18/1980	Schomacher			
	11	4,294,255	10/13/1981	Geroc			
	12	4,304,236	12/08/1981	Conta et al.			
	13	4,598,712	07/08/1986	Rebuffat et al.			
	14	4,667,673	05/28/1987	Li			
	15	5,447,515	09/05/1995	Robicsek			
	16	5,035,702	07/30/1991	Taheri			
	17	5,122,156	06/16/1992	Granger et al.			
	18	5,503,635	04/02/1996	Sauer et al.			
	19	5,591,178	01/07/1997	Green et al			

EXAMINER :

DATED :

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SaltLake-279010.1 0011502-00033

INFORMATION DISCLOSURE CITATION

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
11502/33:1 USAPPLICATION NO.
10/706,245

TITLE: STAPLE AND ANVIL ANASTOMOSIS SYSTEM

APPLICANT – Duane D. Blatter

EXAMINER – Julian W. Woo

CONFIRMATION NO.: 6387
CUSTOMER NO.: 32642FILING DATE –
November 12, 2003GROUP ART UNIT –
3731

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	20	5,755,778	05/26/1998	Kleshinski			
	21	5,797,934	08/25/1998	Rygaard			
	22	5,843,088	12/01/1998	Barra et al.			
	23	6,030,392	02/29/2000	Dakov			
	24	6,036,703	03/14/2000	Evans et al.			
	25	6,241,741	06/05/2001	Duhaylongsod, et al.			
	26	6,866,674	03/15/2005	Galdonik et al.			

EXAMINER :

DATED :

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.